

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 6:21-cr-00445-MC

Plaintiff,

**AMENDED ORDER COMMITTING
DEFENDANT TO THE CUSTODY OF
THE ATTORNEY GENERAL FOR
TREATMENT RELATED TO
COMPETENCY PURSUANT TO 18
U.S.C. § 4241(d)**

v.

DANIEL ANDREW MCGEE,

Defendant.

This matter came before the Court upon a motion to determine competency of the defendant, pursuant 18 U.S.C. § 4241(a). The Court finds by a preponderance of the evidence that the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Therefore,

IT IS ORDERED pursuant to 18 U.S.C. § 4241(d)(1) that the defendant is committed to the custody of the Attorney General, who shall hospitalize the defendant for treatment in a suitable facility for a reasonable period of time, not to exceed four (4) months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward.

IT IS FURTHER ORDERED that defendant shall remain in his current pretrial incarcerative setting at Northern Oregon Regional Correctional Facility (NORCOR) until the bed space at FMC Devens becomes available. Once a bed becomes available, U.S. Marshals Service shall conduct a direct transfer of defendant from NORCOR to FMC Devens to avoid any disruption of defendant's current medical regimen. If a direct transfer is not possible, USMS shall contact the Court and the

parties to explain what mode of transfer is possible.

IT IS FURTHER ORDERED that a trial will be promptly set upon defendant's return from the psychiatric or psychological examination. The time that Mr. McGee has been in proceedings to determine his competency is a period of excludable delay under Title 18, United States Code, Section 3161(h)(1)(A).

Dated: February 7, 2025.

s/Michael J. McShane
MICHAEL J. McSHANE
United States District Judge

Respectfully submitted,

s/ Irina Hughes
IRINA HUGHES, FL Bar #66198
Assistant Federal Public Defender

NATALIE K. WIGHT
United States Attorney

s/ Gavin W. Bruce
GAVIN W. BRUCE, OSB #113384
Assistant United States Attorney

KRISTEN CLARK
Assistant Attorney General for Civil Rights

s/ Cameron A. Bell
CAMERON A. BELL, CSB #305872
Trial Attorney